

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable James F. Thaxter, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

**F033003 McAfee, etc. v. Chambers**

Cause called and argued by Todd A. Gall, Esq., counsel for appellant and by Michael Kerry Burke, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Monday, October 16, 2000 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe G. Lopez, Deputy Clerk.

**F029860 Takahashi v. Estate of Douglas Cone**

Cause called and argued by Jonathan A. Carlson, Esq., counsel for appellant and by Todd W. Baxter, Esq., counsel for respondent.

Cause ordered submitted.

At this point Vartabedian, J. leaves the bench and is replaced by Thaxter, J.

**F031539 Steele v. Quackenbush**

Cause called and argued by Shirley A. Gauvin, Esq., counsel for appellant and by Steven J. Green, Esq. Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

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**F031754      People v. Flores**

**F033487      In re Gabriel Flores On Habeas Corpus**

Cause called and argued by Gregory Marshall, Esq., counsel for appellant. Wayne K. Strumpfer, Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Tuesday, October 17, 2000 at 10:00 A.M.

**F034067      People v. Lawson**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F034165      People v. Murphy**

**F036313      In re Andre Lamont Murphy On Habeas Corpus**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F034542      Madera Irrigation District v. State Water Resources Control Board;  
Triangle T Ranch, Inc. et al.**

The judgment is affirmed. Respondents are awarded their costs on appeal. Vartabedian, Acting P.J.

We concur: Harris, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F033964      People v. Foster**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F033348      People v. Soberanes**  
**F034231      In re Soberanes on Habeas Corpus**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F029967      People v. Herring**

The judgment of conviction of violation of Health and Safety Code section 11531.5 and the true finding as to the 1987 prior conviction for violation of Penal Code section 192.1 are each affirmed. The true finding as to the 1993 prior conviction for violation of Penal Code section 245, subdivision (a)(2) is reversed. The sentence imposed is vacated, and the matter is remanded to the trial court for further appropriate proceedings, including resentencing. Harris, Acting P.J.

We concur: Wiseman, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F036109      In re Steve R., a Minor**

No brief or request for extension of time having been filed within the time provided, the appeal is dismissed.

**F035699      In re Koreena H., et al. Minors**

No brief or request for extension of time having been filed within the time provided, the appeal is dismissed.

**F032180      People v. Kinley**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F034071      People v. Marquez**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.